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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,299	07/17/2003	Matthew L. Andis	012021-9219	2220

23409 7590 06/03/2004

MICHAEL BEST & FRIEDRICH, LLP
100 E WISCONSIN AVENUE
MILWAUKEE, WI 53202

EXAMINER	
ALIE, GHASSEM	
ART UNIT	**PAPER NUMBER**
3724	

DATE MAILED: 06/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

05

Office Action Summary	Application No.	Applicant(s)	
	10/621,299	ANDIS, MATTHEW L.	
	Examiner	Art Unit	
	Ghassem Alie	3724	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *the filing date of the application*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 July 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *11/7/03*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claim 1-9, 12, and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Laube (6,473,973) in view of Kiyama et al. (JP 402152491A), hereinafter Kiyama or Yamamoto (JP102142587A). Regarding claim 1, Laube teaches a hair clipper including a blade set 1 and a drive mechanism 7 having a drive finger 21. Laube also teaches that the blade set 1 includes a fixed lower blade 9 having a forward edge with a series of teeth 13 and upper and lower surfaces extending from the forward edge of the fixed blade 9. Laube also teaches a movable blade 15 including a forward edge with a series of teeth 13 and upper and lower surfaces extending from the forward edge of the movable upper blade 15. Laube also teaches a pair of integrally formed upper reinforcing protrusions and a lower surface of the movable blade being supported by the upper surface of the lower blade 9. The upper sections of the shoes 22 define the reinforcing protrusions. Laube also teaches a drive notch 20 sized to receive the drive finger 21 for movement of the forward edge of the movable blade 15 in relation to the forward edge of the fixed blade 9 during operation of the hair clipper. Laube also teaches that the drive notch 20 includes a two laterally spaced walls extending between the upper and lower surfaces of the movable blade 15 and each upper reinforcing protrusion being disposed adjacent a respective one of the laterally spaced walls. The lower sections of the shoes 22 define the laterally disposed walls. The lower sections of the shoes 22 are also

adjacent to the upper sections of the shoes 22 which define the reinforcing protrusions. See Figs. 1 and 2 and col. 3, lines 55-68 and col. 4, lines 1-58 in Laube. Laube does not teach that the upper movable blade is constructed of ceramic. However, the use of ceramic in constructing blades of the cutting head of a hair clipper is well known in the art such as taught by Kiyama or Yamamoto. Kiyama teaches blades 2, 3 which are made of ceramic. See the translated abstract in Kiyama. Yamamoto also teaches blades 1 and 2 made of ceramic material. See translated abstract in Yamamoto. It would have been obvious to a person of ordinary skill in the art to construct the movable blade of Laube's hair clipper from ceramic as taught by Kiyama or Yamamoto in order to ensure that the movable blade resists heat and corrosion. In addition, the blade can be made of different materials for different purposes as taught by Kiyama.

Regarding claim 2, Laube teaches everything noted above including that each upper reinforcing extends upwardly and outwardly from the drive notch 20. See Fig. 1 and in Laube.

Regarding claim 3, Laube teaches everything noted above including that the lower surface of the movable blade 15 includes a pair of integrally formed reinforcing rims and each lower reinforcing rim forms a portion of a respective one of the laterally spaced walls. The lower sections of the shoes 22 have distal ends at the lower surface of the movable blade 15 which are defined as the lower reinforcing rims. See Fig. 1 and in Laube.

Regarding claim 4, Laube teaches everything noted above including that each upper reinforcing protrusion is configured to direct the drive finger 21 toward the drive notch when

the drive finger 21 is being drivingly connected to the movable blade 15. See Fig. 1 and in Laube.

Regarding claim 5, Laube teaches everything noted above including that lower surface of the movable blade 15 includes a pair of recessed portions and wherein each recess portion extends outwardly from a respective one of the lower reinforcing rims. Two recesses on both sides of the shoes 22 define the recess portions. See Fig. 1 and in Laube.

Regarding claim 6, Laube teaches everything noted above including that each recessed portion extends outwardly from the respective one of the lower reinforcing rims to a respective one of a pair of sideward edges of the movable blade 15. See Figs. 1 and 2 in Laube.

Regarding claims 7-9, Laube teaches everything noted above including that the lower surface of the movable blade 15 has first, second, and third sections adjacent a respective one of the recessed portions. The first portion extends forwardly from the respective one of recess portions. The section forward to the recessed portions, which forms a chamfered surface for the spring 23 at the upper surface of the movable blade, is defined as the first portion. Laube also teaches that the second portion extends inwardly from the respective one of the recessed portions. The second portion defined by the surfaces of the lower reinforcing rims. Laube also teaches that the third portion extends rearwardly from the respective one of the recessed portions. The end 29 and a surface of the respective one of the lower reinforcing rims from which the respective one of the recessed portions extends outwardly define the third portion. Laube also teaches that the first, second, and third portions lie in a single plane. See Figs. 1 and 2 in Laube.

Regarding claim 12, Laube teaches everything noted above including a pair of apertures 44 extending between the upper and lower surfaces of the movable blade 15 and each aperture 44 extends outwardly from the drive notch 20. See Figs. 1 and 2 in Laube.

Regarding claims 16-18, Laube teaches everything noted above including a bias member 23 positionable against the upper surface of the movable blade 15 and where in the bias member engages a groove when positioned against the upper surface of the movable blade 15. The groove at the upper surface of the movable blade 26 also has inclined flat surfaces on both sides which define chamfered ends. The chamfered ends of the groove direct the bias member 23 toward the groove during assembly of the blade set 1. Laube also teaches that each of the laterally spaced walls extends in a direction substantially perpendicular to the forward edge of the movable blade 15. See Figs. 1 and 2 in Laube.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claim 1-11 and 13-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Trichell et al. (4,563,814), hereinafter Trichell, in view of Kiyama or Yamamoto and Laube or Andis (4,279,307). Regarding claim 1, Trichell teaches a hair clipper 32 including a blade set and a drive mechanism having a drive finger. Trichell also teaches that the blade set includes a fixed lower blade 4 having a forward edge with a series of teeth 10 and upper and lower surfaces extending from the forward edge of the fixed blade 4. Trichell also teaches a

movable blade 6 including a forward edge with a series of teeth 18 and upper and lower surfaces extending from the forward edge of the movable upper blade 6. Trichell also teaches a drive notch 26 sized to receive the drive finger for movement of the forward edge of the movable blade 6 in relation to the forward edge of the fixed blade 4 during operation of the hair clipper 32. Trichell also teaches teach that the drive notch includes a two laterally spaced walls extending between the upper and lower surfaces of the movable blade 6. Trichell also teaches that the drive notch includes two laterally spaced walls extending between the upper and lower surfaces of the movable blade 6. See Figs. 1-6 and col. 3 lines 1-68 and col. 4, lines 1-57 in Trichell. Trichell does not teach that the upper movable blade is constructed of ceramic. However, the use of ceramic in constructing blades of the cutting head of a hair clipper is well known in the art such as taught by Kiyama and Yamamoto. Kiyama teaches blades 2, 3 which are made of ceramic. See the translated abstract in Kiyama. Yamamoto also teaches blades 1 and 2 made of ceramic material. See translated abstract in Yamamoto. It would have been obvious to a person of ordinary skill in the art to construct the movable blade of Trichell's hair clipper from ceramic as taught by Kiyama or Yamamoto in order to ensure that the movable blade resists heat and corrosion. In addition, the blade can be made of different materials for different purposes as taught by Kiyama. Trichell also does not teach a pair of integrally formed upper reinforcing protrusions at the upper surface of the movable blade and each upper reinforcing protrusion being disposed adjacent a respective one of the laterally spaced walls. However, use of the reinforcing protrusion at the upper surface of the movable blade is well known in the art such as taught by Laube or Andis. Laude teaches a pair of integrally formed upper reinforcing protrusions and a lower surface of the movable

blade being supported by the upper surface of the lower blade 9. The upper sections of the shoes 22 define the reinforcing protrusions. Laube also teaches that the drive notch 20 includes two laterally spaced walls extending between the upper and lower surfaces of the movable blade 15 and each upper reinforcing protrusion being disposed adjacent a respective one of the laterally spaced walls. See Figs. 1 and 2 and col. 3, lines 55-68 and col. 4, lines 1-58 in Laube. Andis teaches a pair of integrally formed upper reinforcing protrusions 70 at the upper surface of a movable blade 60 and each upper reinforcing protrusion being disposed adjacent a respective one of the laterally spaced walls. The lateral walls defined by the lower section of the upper reinforcing portions 72. See Figs. 1-6 and col. 5, lines 1-63 in Andis. It would have been obvious to a person of ordinary skill in the art to provide the latterly spaced walls of Trichell's hair clipper with the upper protrusions of the movable blade as taught by Laude or Andis is order to enlarge the area of the drive notch and reduce the friction wear caused by the reciprocal operation clipper finger operating to reciprocate the movable blade.

Regarding claims 2-9, Trichell as modified by Laube or Andis teaches all the limitations of set forth by these claims. See claims 2-9 and Figs. 1 and 2 in Laube and Fig. 6 in Andis.

Regarding claim 10, Trichell teaches everything noted above including that the lower surface of the movable blade 6 includes a substantially planar portion and wherein each of the lower reinforcing rims forms a portion of the substantially planar surface. The recess at the lower surface of the movable blade 6 and on both sides of the laterally spaced walls is defined as a pair of recess portion of the movable blade. The lower reinforcing rims also are defined by the bottom surface of the laterally spaced walls. The lower surface of the movable

blade excluding the ridges 22, 28 is considered to be the planar surface. See Figs. 1 and 2 in Trichell.

Regarding claim 11, Trichell teaches everything noted above including that the lower surface of the movable blade 6 includes at least one rearward surface 22 wherein the at least one rearward surface directly engages the upper surface of the lower blade 4. Trichell also teaches that the rearward surface extends downwardly from the planar portion. See Figs. 1 and 2 in Trichell.

Regarding claims 13, Trichell teaches everything noted above including a pair of lead-in walls extending between the upper and lower surfaces of the movable blade 6 and wherein each lead-in wall extends outwardly and rearwardly from a respective one of the laterally spaced walls to a rear edge 22 of the movable blade 6. See Figs. 1 and 2 in Trichell.

Regarding claims 14, Trichell teaches everything noted above including that the lead-in walls are configured to direct the drive finger or the drive shaft toward the drive notch 26 and the drive finger is drivingly connected to the movable blade 6. See Figs. 1 and 2 in Trichell.

Regarding claims 15, Trichell as modified by Laube or Andis teaches everything noted above including that each upper reinforcing protrusion, as taught by Laude or Andis, extends upwardly and outwardly from a respective one of the laterally spaced walls from which the respective one of the lead in-walls extends outwardly and rearwardly. The reinforcing protrusions of Laube or Andis extend the laterally spaced walls of the Trichell upwardly. These protrusions are extending upwardly and outwardly from the lead-in walls of

the movable blade 6. The lead-in walls also extend outwardly and reawardly from the laterally spaced walls. See Figs. 1 and 2 in Trichell and Laube and Fig. 6 in Andis.

Regarding claims 16-18, Trichell teaches everything noted above including a bias member 12 positionable against the upper surface of the movable blade 6 and where in the bias member 12 engages a groove20 when positioned against the upper surface of the movable blade 6. The groove 20 at the upper surface of the movable blade 6 also has chamfered ends. The chamfered ends of the groove direct the bias member 12 toward the groove 20 during assembly of the blade set. Trichell also teaches that each of the laterally spaced walls extends in a direction substantially perpendicular to the forward edge of the movable blade 6. See Figs. 1 and 2 in Trichell.

Regarding claim 19, Trichell as modified by above teaches everything in claims 1, 13, and 15.

Regarding claim 20, Trichell as modified by above teaches everything in claims 1, 13, and 15-18.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

Cromonic (2,484,610), Oster (2,928,171), Trichell et al. (4,899,444), Dremel (1,729,332), Sadlon (3,222,782), and beutel et al. (6,421,922), teach a hair clipper including a movable blade having upper protrusions.

Oster (2,276,061), Veselaski et al. (4,765,060), Ogle et al. (5,386,634), and Brown et al. (2,611,955) teach a hair clipper including a fixed lower blade, a movable upper blade, and a

spring.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ghassem Alie whose telephone number is (703) 305-4981. The examiner can normally be reached on Mon-Fri 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan Shoap can be reached on (703) 305-1082. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9302 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

GA/ga

May 25, 2004

Allan N. Shoap
Supervisory Patent Examiner
Group 3700